



4191-02-U

SOCIAL SECURITY ADMINISTRATION

[Docket No SSA-2020-0043]

Agency Information Collection Activities: Proposed Request and Comment Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB)

Office of Management and Budget

Attn: Desk Officer for SSA

Fax: 202-395-6974

Email address: OIRA_Submission@omb.eop.gov

(SSA)

Social Security Administration, OLCA

Attn: Reports Clearance Director

3100 West High Rise

6401 Security Blvd.

Baltimore, MD 21235

Fax: 410-966-2830

Email address: OR.Reports.Clearance@ssa.gov

Or you may submit your comments online through www.regulations.gov,
referencing Docket ID Number [SSA-2020-0043].

- I. The information collection below is pending at SSA. SSA will submit it to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than **INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER**. Individuals can obtain copies of the collection instrument by writing to the above email address.

Statement Regarding Contributions -- 20 CFR 404.360 - 404.366 and 404.736 -- 0960-0020. SSA uses Form SSA-783 to collect information regarding a child's current sources of support when determining the child's entitlement to Social Security benefits. We request this information from adults acting on behalf of the child claimants who can provide SSA with any sources of support or substantial contributions for the child. These

adults inform the claims representative as part of the initial benefits process. If the individual capable of providing the information does not accompany the child claimant, we mail the SSA-783 to the individual for completion, or if the person has access to a computer, we will refer them to SSA's Web site. The respondents are individuals providing information about a child's sources of support.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-783	2,352	1	15	588	\$25.72*	24**	\$39,326***

* We based this figure on the average hourly wage for all occupations in May 2019 as reported by the U.S. Bureau of Labor Statistics (https://www.bls.gov/oes/current/oes_nat.htm#00-0000).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. **There is no actual charge to respondents to complete the application.**

II. SSA submitted the information collection below to OMB for clearance. Your comments regarding this information collection would be most useful if OMB and SSA receive them 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than **INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER**. Individuals can obtain copies of the OMB clearance package by writing to OR.Reports.Clearance@ssa.gov.

1. **Marriage Certification -- 20 CFR 404.725 -- 0960-0009.** Sections 202(b) and 202(c) of the Social Security Act (Act) stipulate that every spouse of an individual entitled to Old-Age, Survivors, and Disability Insurance (OASDI) benefits is entitled to a spouse benefit if the wife or husband, in addition to meeting the entitlement requirements, meets the relationship criteria in Section 216(h)(1)(A) and (B) of the Act. SSA uses Form SSA-3 to determine if a spouse claimant has the necessary relationship to the Social Security number holder (*i.e.*, the worker) to qualify for the worker's OASDI benefits. The respondents are applicants for spouse's OASDI benefits.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-3	62,342	1	5	5,195	\$25.72*	24**	\$774,995***

* We based this figures on average U.S. citizen's hourly salary, as reported by Bureau of Labor Statistics data

(https://www.bls.gov/oes/current/oes_stru.htm).

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2. Farm Arrangement Questionnaire -- 20 CFR 404.1082(c) --

0960-0064. When self-employed workers submit earnings data to SSA, they cannot count rental income from a farm unless they demonstrate “material participation” in the farm’s operation. A material participation arrangement means the farm owners must perform a combination of physical duties, management decisions, and capital investment in the farm they are renting out. SSA uses Form SSA-7157, the Farm Arrangement Questionnaire, to document material participation. The respondents are workers who are renting farmland to others, are involved in the operation of the farm, and want to claim countable income from work they perform relating to the farm.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-7157	662	1	30	331	\$25.25*	24**	\$15,049***

* We based this figures on average Farmer's hourly salary, as reported by

Bureau of Labor Statistics data

(<https://www.bls.gov/oes/current/oes451011.htm>).

** We based this figure on the average FY 2020 wait times for field

offices, based on SSA's current management information data.

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3. Advanced Notice of Termination of Child's Benefits & Student's Statement Regarding School Attendance -- 20 CFR 404.350 - 404.352, 404.367 - 404.368 -- 0960-0105. SSA collects information on Forms SSA-1372-BK and SSA-1372-BK-FC to determine whether children of an insured worked meet the eligibility requirements for student benefits. The data we collect allows SSA to determine student entitlement, and assess whether to terminate benefits. SSA uses the SSA-1372-BK for domestic student claimants and the SSA-1372-BK-FC for student claimants living

and attending school outside the United States. The respondents are student claimants for Social Security benefits, their respective schools and, in some cases, their representative payees.

Type of Request: Revision of an OMB-approved information collection.

SSA-1372-BK:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-1372-BK (students)	233,179	1	8	31,091	\$7.86*	24**	\$317,750***
SSA-1372-BK State/Local/Tribal Government (school officials)	209,861	1	3	10,493	\$47.54*	0	\$498,837***
SSA-1372-BK (representative payees)	23,318	1	3	1,166	\$25.72	0	\$29,990***
Totals	466,358			42,750			\$846,577***

SSA-1372-BK-FC:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-1372-BK-FC (students)	746	1	8	99	\$7.86*	24**	\$743***
SSA-1372-BK-FC State/Local/	671	1	3	37	\$47.54*	0	\$1,759***

Tribal Government (school officials)							
SSA-1372-BK-FC (representative payees)	75	1	3	4	\$25.72	0	\$103***
Totals	1,492			136			\$2,605***

Grand Total:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
Grand Total	467,850			42,886			\$849,182***

* We based these figures on average DI hourly wages for single students

based on SSA's current FY 2020 data

(<https://www.ssa.gov/legislation/2020Fact%20Sheet.pdf>); on the average

School Worker's hourly salary, as reported by Bureau of Labor Statistics

data (https://www.bls.gov/oes/current/oes_nat.htm), and on average U.S.

citizen's hourly salary, as reported by Bureau of Labor Statistics data

(<https://www.bls.gov/oes/current/oes231011.htm>).

** We based this figure on the average FY 2020 wait times for field

offices, based on SSA's current management information data

***This figure does not represent actual costs that SSA is imposing on

recipients of Social Security payments to complete this application; rather,

these are theoretical opportunity costs for the additional time respondents

will spend to complete the application. There is no actual charge to

respondents to complete the application.

4. Claimant's Work Background -- 20 CFR 404.1512(a); 404.1520(a)(4); 404.1565(b); 416.912(a); 416.920(a)(4); 416.965(b) -- 0960-0300.

Sections 205(a) and 1631(e) of the Act provide the Commissioner of Social Security with the authority to establish procedures for determining if a claimant is entitled to disability benefits. The administrative law judge (ALJ) may ask individuals to provide background information on Form HA-4633 about work they performed in the past 15 years. When a claimant requests a hearing before an ALJ to establish an entitlement to disability benefits, the ALJ may request that the claimant provide a work history to assist the ALJ in fully inquiring into issues related to the disability. The ALJ uses the information collected from the claimants on Form HA-4633 to: (1) identify the claimant's relevant work history; (2) decide if SSA requires expert vocational testimony and, if so, have a vocational expert available to testify during the hearing; and (3) provide a reference for the ALJ to discuss the claimant's work history. The ALJ makes the completed Form HA-4633 part of the documentary evidence of record. The respondents are claimants for disability benefits under Title II or Title XVI who requested a hearing before an ALJ after SSA denied their application for disability payments.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
HA-4633 - PDF/paper version	53,200	1	15	13,300	\$10.73*	24**	\$371,043***
Electronic Records Express Submissions	136,800	1	15	34,200	\$25.72*	0	\$879,624***
Totals	190,000			47,500			\$1,250,667***

* We based these figures on average DI hourly wages based on SSA's current FY 2020 SSI data

(<https://www.ssa.gov/legislation/2020Fact%20Sheet.pdf>), and on average U.S. citizen's hourly salary, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_stru.htm).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA's current management information data.

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5. Social Security Administration Eligible Non-Attorney Representative
-- 20 CFR 404.1717, 404.1745-404.1799, 416.1517, and 416.1545-416.1599 -- 0960-0699. Section 3 of the Social Security Disability

Applicants Access to Professional Representation Act (PRA) of 2010, Public Law 111-142, permanently extends the direct payment provision of Section 303 of the Social Security Protection Act (SSPA) of 2004, Public Law 108-203. The PRA permits SSA to extend direct payment of approved fees from claimants' past-due benefits to certain non-attorney representatives. Prior to the enactment of the SSPA and PRA, only attorneys could receive direct payment of SSA-approved fees. Under the PRA, non-attorneys must meet certain prerequisites to be eligible for direct payment of fees. These prerequisites include: (1) A bachelor's degree from an accredited institution of higher education, or four years of relevant professional experience and a high school diploma or General Education Development certificate; (2) passing a written examination administered by SSA testing the knowledge of relevant provisions of the Act under Titles II and XVI; (3) securing and maintaining continuous professional liability insurance, or equivalent, to protect claimants from malpractice; (4) passing a criminal background check; (5) demonstrating ongoing completion of continuing education courses. The PRA requires SSA to collect the information needed to determine if applicants have satisfied these prerequisites. SSA uses the information we collect on Form SSA-1691 to determine whether an applicant has fulfilled the statutory prerequisites and regulatory requirements as listed above. To verify this information, we also request the five required items listed above from each new applicant, and we request items #3 and #5 from all non-attorney

representatives (new and existing) on a yearly basis. Every year, SSA evaluates the applications, conducts verification investigations, and issues recommendations regarding applicants' eligibility to sit for the examination and eligibility to receive direct payment. The respondents are non-attorneys who want to receive direct payment of their fees for representational services before SSA.

Type of Request: Revision of an OMB-approved information collection.

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New Respondents – Paper Application (complete and submit) – 404.1717(b)&(c); 416.1517(b)&(c)	468	1	45	351	\$26.45*	24**	\$14,230***
New Respondents Examination – 404.1717(a)(5) ; 416.1517(a)(5)	460	1	120	920	\$26.45*	24**	\$29,201***
New Respondents - Submission of proof of Bachelor's Degree or Equivalent Qualifications – 404.1717(a)(3)	458	1	10	76	\$26.45*	24**	\$6,851***

; 416.1517(a)(3)							
New and Existing Respondents - CE Submission via email/mail/or FAX of training courses taken as prescribed by SSA – 404.1717(a)(7) ; 416.1517(a)(7)	1,374	1	20	458	\$26.45*	24**	\$26,662***
New and Existing Respondents - Proof of Continuous Professional or Business Liability Insurance Coverage (Scan and Email) – 404.1717(a)(6) ; 416.1517(a)(6)	1,099	1	10	183	\$26.45*	24**	\$45,547***
New and Existing Respondents - Proof of Continuous Professional or Business Liability Insurance Coverage (Copy and Mail) - 404.1717(a)(6) ; 416.1517(a)(6)	275	1	15	69	\$26.45*	24**	\$4,735***

New and Existing Respondents - Written Protests – 404.1717(d); 416.1517(d)	45	1	45	34	\$26.45*	24**	\$1,375***
Totals	4,179			2,091			\$128,511***

* We based this figures on average Paralegal's hourly salary, as reported by

Bureau of Labor Statistics data

(https://www.bls.gov/oes/current/oes_nat.htm).

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Dated: August 17 2020.

Naomi Sipple,
Reports Clearance Officer,
Social Security Administration.